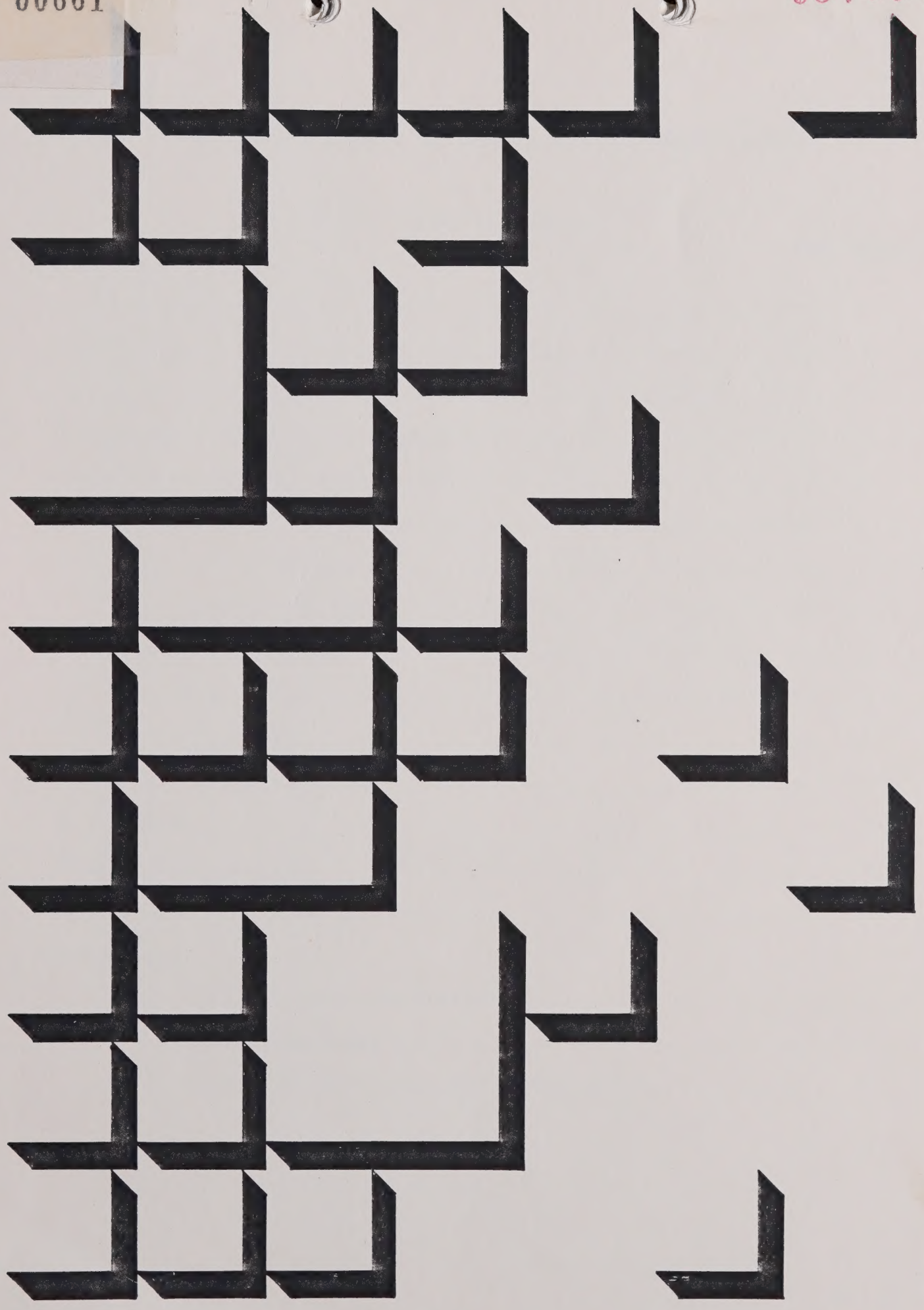


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OPEN SPACE PLAN

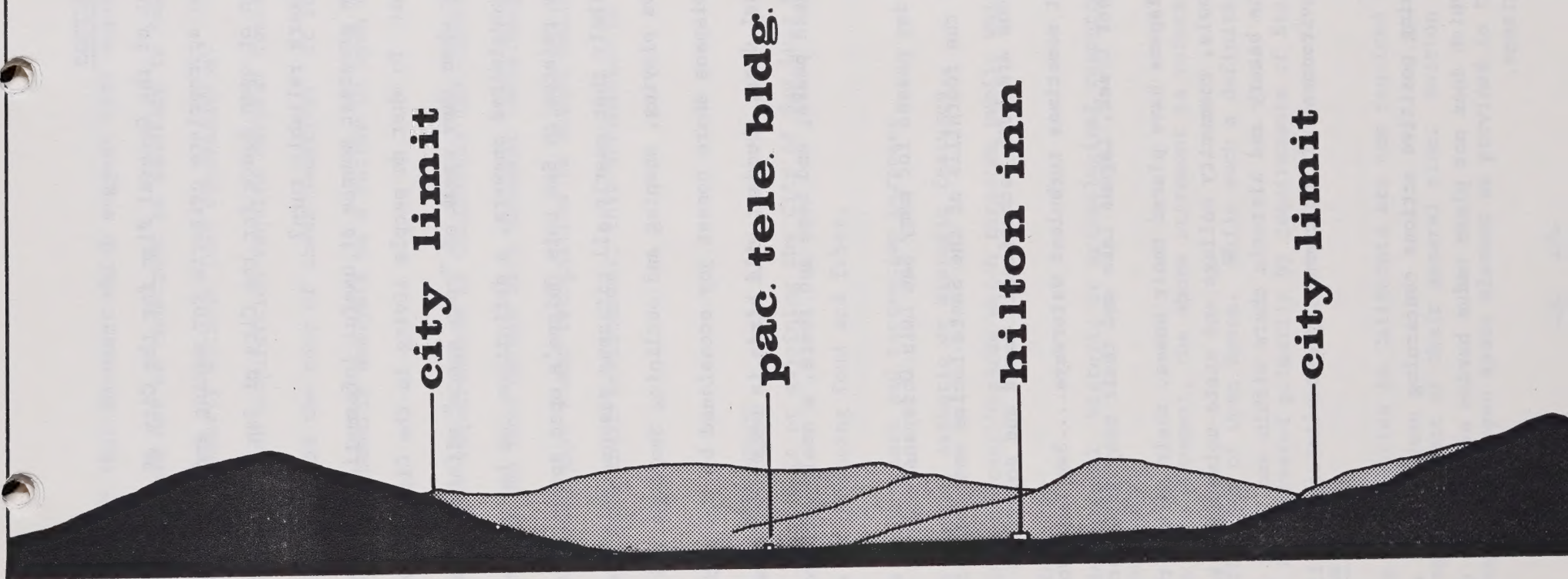
OPEN SPACE ELEMENT OF THE GENERAL PLAN FOR SAN LUIS OBISPO

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CITY OF SAN LUIS OBISPO
cross-section view north
scale 1"=1600'

1. INTRODUCTION

An element of the General Plan for the City of San Luis Obispo

What is the appropriate criteria for making enduring judgments about use and preservation of open space for the City of San Luis Obispo? To what sources can decision-makers reliably turn?

Perhaps the greatest source of useful information derives from the answer to this question: To what do people living in the City of San Luis Obispo traditionally refer when they speak of "open space" within and around their city?

From well considered answers, a definition can be attempted which peculiarly and specifically relates to San Luis Obispo's open space.

It seems likely that nearly all citizens respond to the impact of changing light and shadows playing, shaping and outlining San Luis and Bishop peaks. Most San Luis Obispan share honest joy occasioned by the sight of healthy cattle, occasional deer, abundant wild birds in season and small animals along the slopes of these peaks; and here and there, a small orchard, a vineyard, a stand of trees.

Scarcely a day passes for many San Luis Obispan without emotional response to the beauty of the foothills of the Santa Lucias and the Irish Hills wrapping the city. Citizens are both esthetically moved and sometimes threatened by their usually quiet but sometimes turbulent waterways....San Luis Obispo, Old Garden, Brizzolara, Stenner Creek, Laguna Lake and their many tributaries.

San Luis Obispan have placed their homes, their parks, their recreation areas, their schools, community college and state university so that all present may partake of the beauty and historic charm within and about their city. In many ways, the open environment of the community establishes the lifestyle and activities of its residents.

While proposing positive actions concerning uses of open space, the city seeks a program which does not place undue burden or hardship upon the individual rights of its citizens.

Those portions of this document which suggest city acquisition of land for open space use should not be construed as sanction to take, damage or infringe upon private property without just compensation.

Actions requiring land acquisition require careful consideration of both benefits to be derived and the cost of these benefits. It is the intent of this element that cost-benefit analysis be a factor in open space decision making.

To meet open space requirements of California law, provide a basis for the development of a San Luis Obispo city document concerning use of open space, and, above all, give clear recognition to actual daily interaction of San Luis Obispan with their environment, this definition of open space is offered:

2. DEFINITION OF OPEN SPACE

"Any land located in or adjoining the City of San Luis Obispo which:

- A. Serves in producing food and fiber,
- B. Has value for park and recreation purposes,
- C. Offers scenic, esthetic or historic features,
- D. Contains inherent hazards which threaten public welfare, health, or safety,
- E. Includes natural, historic or archeological resources which should be conserved.

Throughout this document, the above statement is referred to as the San Luis Obispo definition of Open Space. While such a definition may have local derivation, it is motivated primarily by requirements of State Planning Law.

As A Requirement

All cities and counties in California are now required by State law to adopt an open space element of their general plan. Section 65302 of the State Planning Law requires an open space element as provided in the following definition:

A. "Local Open Space Plan" is the open space element of the County or City General Plan adopted by the Board or Council either as a local Open Space Plan or as the interim local Open Space Plan.

B. "Open space land" is any parcel or area of land or water which is essentially unimproved and devoted to an open space use as defined in this section and which is designated on a local, regional or state open space plan as any of the following:

Subsection 1: Open space for the preservation of natural resources including but not limited to areas required for the preservation of plant and animal life including habitats for fish and wildlife species; areas required for ecologic and scientific study purposes; rivers, streams, bays and estuaries; and coastal beaches, lakeshores, banks of rivers and streams, and watershed lands.

Subsection 2: Open space used for the managed production of resources including but not limited to, forest lands, range lands, agricultural lands and areas of economic importance for the production of food or fiber; areas required for recharge of groundwater basins; bays, estuaries, marshes, rivers and streams which are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.

Subsection 3: Open space for outdoor recreation including but not limited to areas for outstanding scenic, historic and cultural values; areas particularly suited for park and recreation purposes including access to lakeshores, beaches and rivers and streams and areas which serve as links between major recreation and open space reservations including utility easements, banks of rivers and streams, trails and scenic highway corridors.

Subsection 4: Open space for public health and safety; including but not limited to areas which require special management or regulations because of hazardous or special conditions such as earthquake fault zones, unstable soils areas, flood plains, water sheds, areas representing high fire risk, areas required for protection of water quality and water reservoirs and areas required for the protection and enhancement of air quality.

3. FUNCTION OF THE REPORT

This document is intended to meet State requirements for the development of an open space element of the General Plan. In addition to this general function, this open space element will: (1) serve as a sound framework for evaluating the inter-relationships between various aspects of the environmental problem, (2) provide more specific recommendations which will be needed for the formulation of additional standards and regulations pertaining to environmental quality, (3) present guidelines for modification of City operations where such operations may have negative impact on the environment, (4) represent a general data source for information pertaining to various environmental issues.

4. PREPARATION OF THE OPEN SPACE ELEMENT

This report was prepared by the City of San Luis Obispo Planning Department. The development of the City's open space element proceeded on the basis that it was mandated by State law and also on the premise that it was needed to protect the quality of life that currently exists in the City of San Luis Obispo. Groups that participated in this plan include the Federal Soil Conservation Service, the City's Tree Committee, the City's Waterways Planning Board and the Planning Commission. For these reasons then, this plan should reflect both the needs and the desires of the residents of the community.

5. ENVIRONMENTAL IMPACT REPORTS

There is a particular need for government officials to understand the environmental consequences of their decisions. In the past large public projects or permits for private developments were approved without considering total ecological implications. This lack of attention has led to water pollution, soil erosion and many other conservation problems which could have been avoided or reduced with proper study and use of preventative measures. Also, large tracts of open space have been destroyed or utilized improperly by lack of proper consideration for the open space needs of the community. Environmental irresponsibility by some local governments as well as by State agencies led to the passage of the California Environmental Quality Act of 1970. This law, which followed similar Federal legislation, requires environmental impact reports for large projects in the State. These reports are intended to inform government officials of the environmental setting for the projects, the ecological consequences of the projects and alternatives and ways to reduce the environmental damage due to the project. Following recent court decisions and changes in the law, impact reports are now required for many private developments as well as public projects. The City has adopted environmental impact procedures which include methods of preparing and reviewing these reports as well as determining which projects require the preparation. The environmental impact report (EIR) serves as an informational document and the project is not necessarily halted by an unfavorable EIR. The public agency or board has the authority and responsibility to balance the economic and legal considerations against environmental concerns.

6. IMPLEMENTATION OF THE PLAN

The basic steps necessary for achieving open space goals are listed at the end of each section. Several types of recommendations are made and these are listed below:

- A. Changes in basic policy are advocated where open space goals have not been clear.
- B. Revisions in adopted plans are recommended where those plans conflict with open space needs.
- C. New or revised regulations are proposed to protect our resources and open space along with changes in present ordinances and administration and enforcement practices.
- D. Taxation policies are evaluated and tax incentives or penalties are recommended where open space benefits can be derived.
- E. Changes in government operating procedures are advocated in situations where government operations have caused open space problems.
- F. An important method of achieving open space goals is through education. Although the results may be intangible at first, the use of education both in the classroom and in everyday life should be stressed as one of the best ways to reach long-term open space goals.
- G. Recommendations are made for compiling environmental information and making it available. At present, research on local environmental conditions is scattered and incomplete.
- H. Improved coordination of government agencies to protect resources is needed. Greater communication among Federal, State and local government officials concerned with conservation would reduce duplication of effort and other administrative problems.

7. OBJECTIVES OF OPEN SPACE

In order to maintain the quality of life that exists in San Luis Obispo, the following open space objectives should be adopted:

1. To preserve the inherent environmental qualities of the San Luis Obispo area.

2. To develop a green belt system throughout the City utilizing existing open areas and natural resource areas (including creek areas, existing parks, school grounds, steep slopes above 30% grade, and major streets with wide right-of-way.
3. To coordinate open space planning between San Luis Obispo City and County governments, working to insure compatible open space programs within the urban fringe.
4. To further enhance the beauty of the three major entries to San Luis Obispo in harmony with the City's natural setting.
5. To guide proposed physical growth or change of land use within or about the City.
6. To encourage communication between San Luis Obispanans and their local government agencies concerning public values relevant to open space use.
7. To develop a continuing funding and acquisition program for purchasing and preserving open space lands.
8. To encourage a program of gifts and endowments with tax and possible other benefits for participating property owners and other benefactors.

An analysis of the structure of the San Luis Obispo definition of open space and the community's objectives provides a convenient set of variables for discussion of open space lands in and around San Luis Obispo. The following paragraphs contain discussions of: (a) Agricultural Lands, (b) Recreational Lands, (c) Scenic Lands, (d) Hazardous Lands, and (e) Conservation Lands.

A. AGRICULTURAL LANDS

The San Luis Obispo definition of open space includes land which "serves in producing food and fiber". This refers to agricultural lands. In turn, agricultural lands are defined as those lands used for the managed production of resources, including but not limited to forest lands, rangelands, lands of economic important for the production of food or fiber and areas required for the recharge of ground water basins.

Not all of these uses apply to land inside San Luis Obispo. San Luis Obispo envision local agricultural land in terms of prosperous cattle on grassy hills, small orchards and vineyards, and fields of garbanzo beans and other truck crops.

A land use survey conducted in 1965 showed that 230 acres within the City limits of San Luis Obispo was used for agricultural purposes. This included both grazing and seasonal crop lands. About 11 acres of this land is devoted to orchards and agricultural buildings.

In addition to this agricultural land within the City, the land along the urban fringe is generally devoted to agricultural uses. The San Luis Obispo County Open Space Plan designates portions of these areas as primarily marginal crop lands, range lands, dry farm and grain lands and multi-use open space lands.

Currently, 32% of the whole County has been established in agricultural preserves. Approximately 687,900 acres are protected in 291 preserves.

The County's agricultural preserve program has been successful in reducing investment speculation on many agricultural properties, but agricultural land adjacent to the City has not been preserved by this system.

In an analysis of soil types, San Luis Obispo land has been classified into several classes.

The most fertile soils, Classes I and II, are found in the broad valleys of the community. Natural erosion has washed soil from the peaks and hills

legend



crop land

LAND PLANTED WITH SEASONAL PLANT VARIETIES FOR HARVEST.



pasture land

LAND PLANTED WITH ANIMAL FORAGE, SUPPLIED WITH WATER BY IRRIGATION.



range land

LAND USED FOR ANIMAL FORAGE, WITHOUT IRRIGATION.

CITY OF SAN LUIS OBISPO

existing agricultural lands



which surround San Luis Obispo. These soils offer the best potential for supporting food crops.

Soils of lesser capability in the uplands will normally be less fertile and support sparser plant life. Still, the soil on these steep slopes supports a range of vegetation adapted to thin soil and scant water supply.

San Luis Obispo hillsides can support grazing and probably be used for certain other agricultural purposes when careful consideration is given to soil, water, and climatic conditions.

A study of the many variables involved in crop selection in and around San Luis Obispo may be justified for the purpose of maximizing production of food and fiber, providing protective land cover to reduce erosion, and controlling climate factors.

In the past, residential and commercial development has occurred on the valley floor on agriculturally valuable Class I and II soils, while the hillsides with limited agricultural use remain largely undeveloped.

In recent years some valley marshlands have developed for commercial and residential use. Since marshland is hazardous in nature, proposals for its use must be carefully studied to avoid misuse and problems for property owners.

The County has made a number of recommendations in their Open Space Plan, three of which apply to the City.

- A. Administration of the agricultural preserve program should be on a priority basis to allow those agricultural lands near urban areas and prime land first opportunity at preserve status. In addition, area wide petitions should be considered before individual applications.
- B. The creation of agricultural preserves within urban areas should be encouraged if such preserves provide greenbelts or buffers between developments or incompatible urban areas.
- C. Precise agricultural zoning should be established on all commercial agricultural lands. Zoning should prescribe appropriate lot sizes

legend



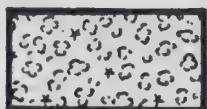
class I & II

HAVE FEW LIMITATIONS FOR AGRICULTURAL USE AND REQUIRE THE USE OF EASY TO APPLY CONSERVATION PRACTICES.



class III & IV

HAVE SEVERE LIMITATIONS WHICH REDUCE THE CHOICE OF CROPS AND REQUIRE VERY CAREFUL MANAGEMENT OF CONSERVATION PRACTICES.



class VI & VII

HAVE SEVERE LIMITATIONS WHICH MAKE THEM GENERALLY UNSUITED TO CULTIVATION AND LIMIT THEIR USE TO GRAZING LANDS, WOODLAND, WILDLIFE HABITAT, OR COVER.



class VIII

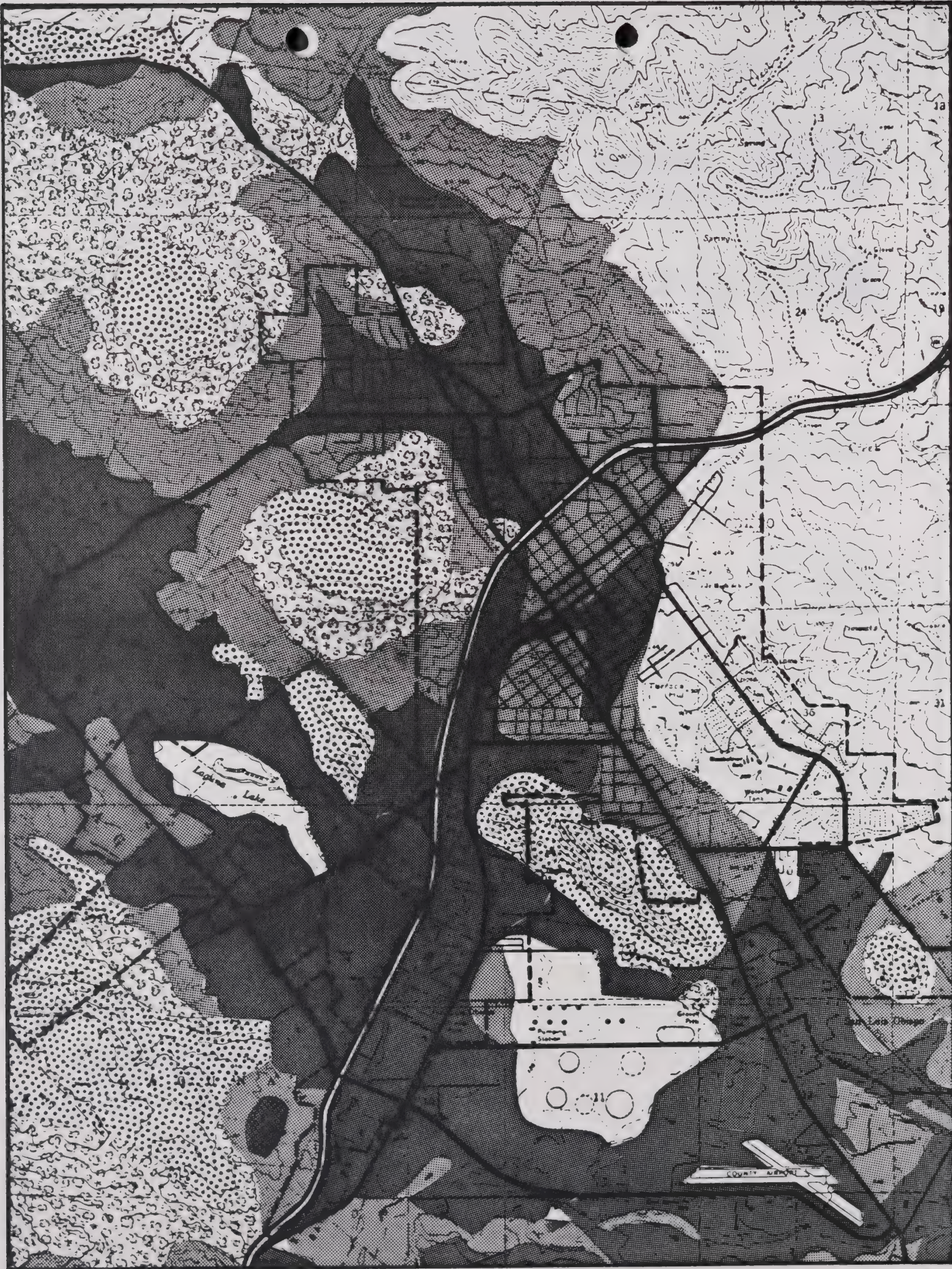
HAVE LIMITATIONS THAT PRECLUDE THEIR USE FOR COMMERCIAL PLANT PRODUCTION AND RESTRICT THEIR USE TO RECREATION, WILDLIFE HABITAT, WATERSHED OR ESTHETIC PURPOSES.



incomplete data

CITY OF SAN LUIS OBISPO

soil types



protect rural lands from premature and detrimental land division.

The outlying areas of San Luis Obispo within the City and within the City's sphere of influence have been designated in the General Plan at a maximum density of **one dwelling unit per 2½ acres**. It is not intended that all of the area so designated be broken down into 2 1/2 acre parcels, however, if suburban development is to occur, it shall be within this prescribed density. The General Plan text states: "This density classification has been designed to preserve the open and basically rural clustering quality of the area surrounding present urban concentration of San Luis Obispo. It is intended that future urban growth be restricted to areas of present commitment and that this classification will encourage continued agriculture or at least a level of residential development that will have a minimum adverse impact on physical and ecological environment."

The City may wish to consider cluster development or transfer densities in urbanizing this classification of land.

This section of San Luis Obispo's open space document identifies agricultural lands as open space lands. A graphic inventory of agricultural lands, soil types and hydrological features in San Luis Obispo is included along with descriptive data.

The City recognizes that land utilized for cultivation, grazing, and water supply and storage enhances the sense of spaciousness in the San Luis Obispo setting.

The City can serve an important function in preserving such openness by a considered program of land tax benefits and other incentives to land owners for voluntarily restricting development of their land. Such possibilities are discussed in detail in a later section of this document.

GOALS

1. The City supports the concept of a County Open Space Plan.
2. The City recognizes that agricultural uses do provide open space, and these uses will be encouraged.
3. Agricultural land must be recognized as an equal to other major land uses and given protection.
4. The City will undertake immediate cost-benefit studies aimed at protection of agricultural lands.

B. RECREATION LANDS

The San Luis Obispo definition of open space includes: "Any land..... which has value for park and recreational purposes...."

As a further development of this general definition, recreational lands are here defined as those lands needed for outdoor recreation, including but not limited to, areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes, including access to lake-shores and streams; and areas which serve as links between major recreation and open space reservations, including utility easements, banks of streams in certain areas, trails and scenic highway corridors.

In addition to San Luis Obispo's neighborhood and community parks, one may view this definition as including Mission Plaza, present and planned paths along certain creek banks, the broken line along City streets which guides people along the City's Path of History and City bicycle routes.

The City's creeks presently serve as a positive esthetic element in the community. Maintaining them in their natural setting consistent with safety, and viewing them as passive recreational space should guide future plans.

However, it is not the intention of the City that creek areas in established neighborhoods and on private property be used for recreational purposes.

A graphic identification and inventory of open lands in and around San Luis Obispo is included in this section as further clarification of community recreation lands. The map identifies existing parks and recreational facilities.

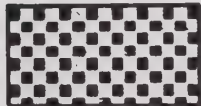
Studies are underway to identify and inventory all existing, planned and potential recreational sites including scenic drives, parks, school playgrounds, waterways, trail systems and public land (including the extensive grounds occupied by California Polytechnic State University, Cuesta College and the San Luis Obispo Coastal School District). From such an inventory, it will be possible to

legend

open space



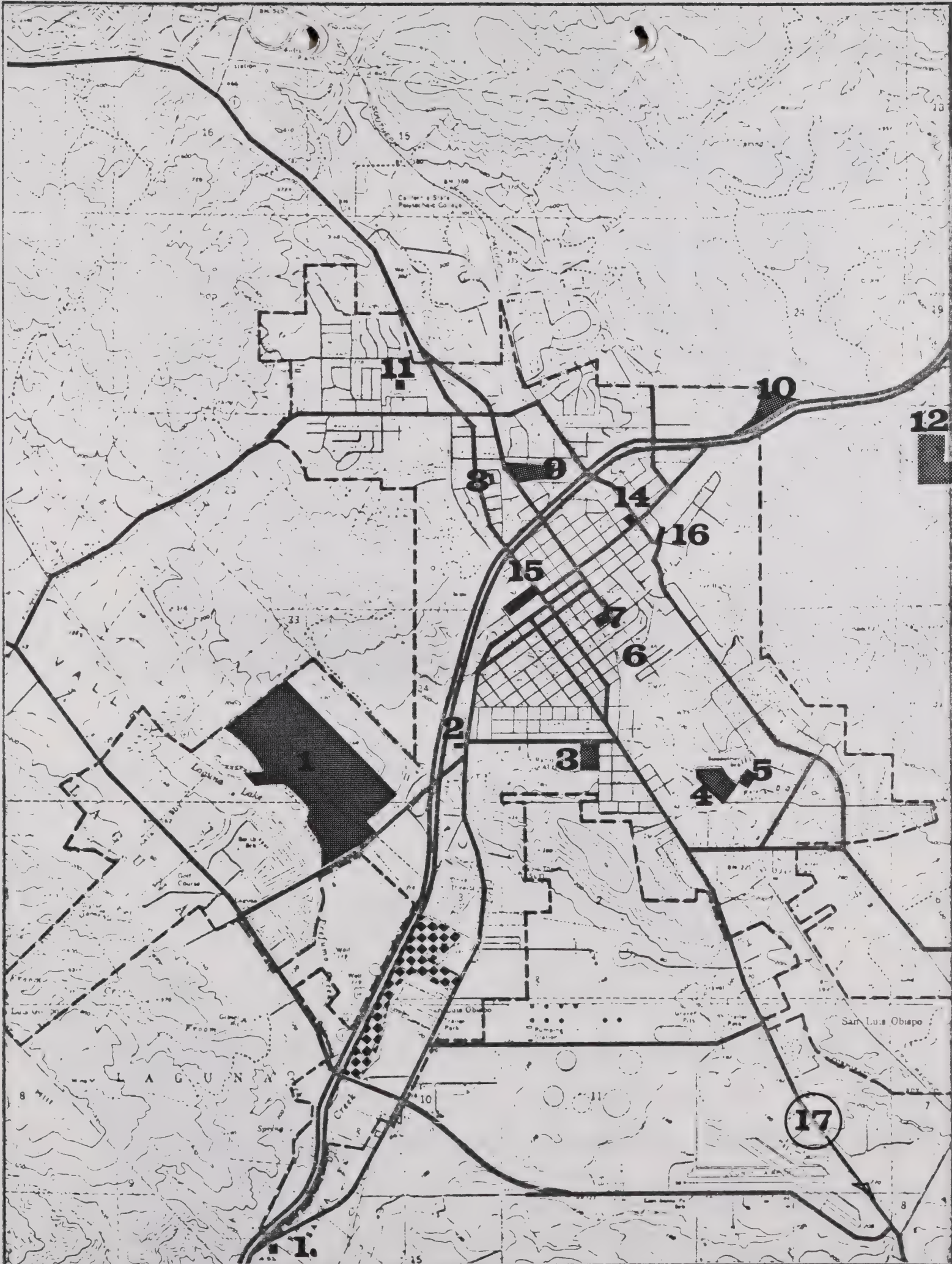
existing park and recreation facilities

1. LAGUNA LAKE - LAGUNA LAKE PARK (405)
 2. BROOKS ST. TOT LOT (1/4)
 3. MEADOW PARK (10)
 4. SINSHEIMER PARK (25)
 5. JOHNSON PLAYGROUND (5)
 6. OSOS TRIANGLE (1/8)
 7. MITCHELL PARK (5)
 8. MISSION STREET TOT LOT (1/4)
 9. SANTA ROSA PARK (12)
 10. CUESTA PARK (5)
 11. THROOP PARK (4)
 12. RESERVOIR CANYON (200)
 13. LOWER HIGUERA CREEK LANDS (2)
 14. MEMORIAL BUILDING (1/2)
 15. MISSION PLAZA (3)
 16. SAN LUIS DR. CREEK LANDS (1)
 17. LOPEZ CANYON (300)
- sewer farm**
- 
- (75)
- (ACRES)

CITY OF SAN LUIS OBISPO

existing public open space

LAND HELD IN PERMANENT OPEN SPACE BY PUBLIC AGENCY 12/73



legend



scenic open space

OPEN SPACE AS DESIGNATED ON THE GENERAL PLAN.



schools

EXISTING AND PROPOSED SCHOOLS ON THE GENERAL PLAN.



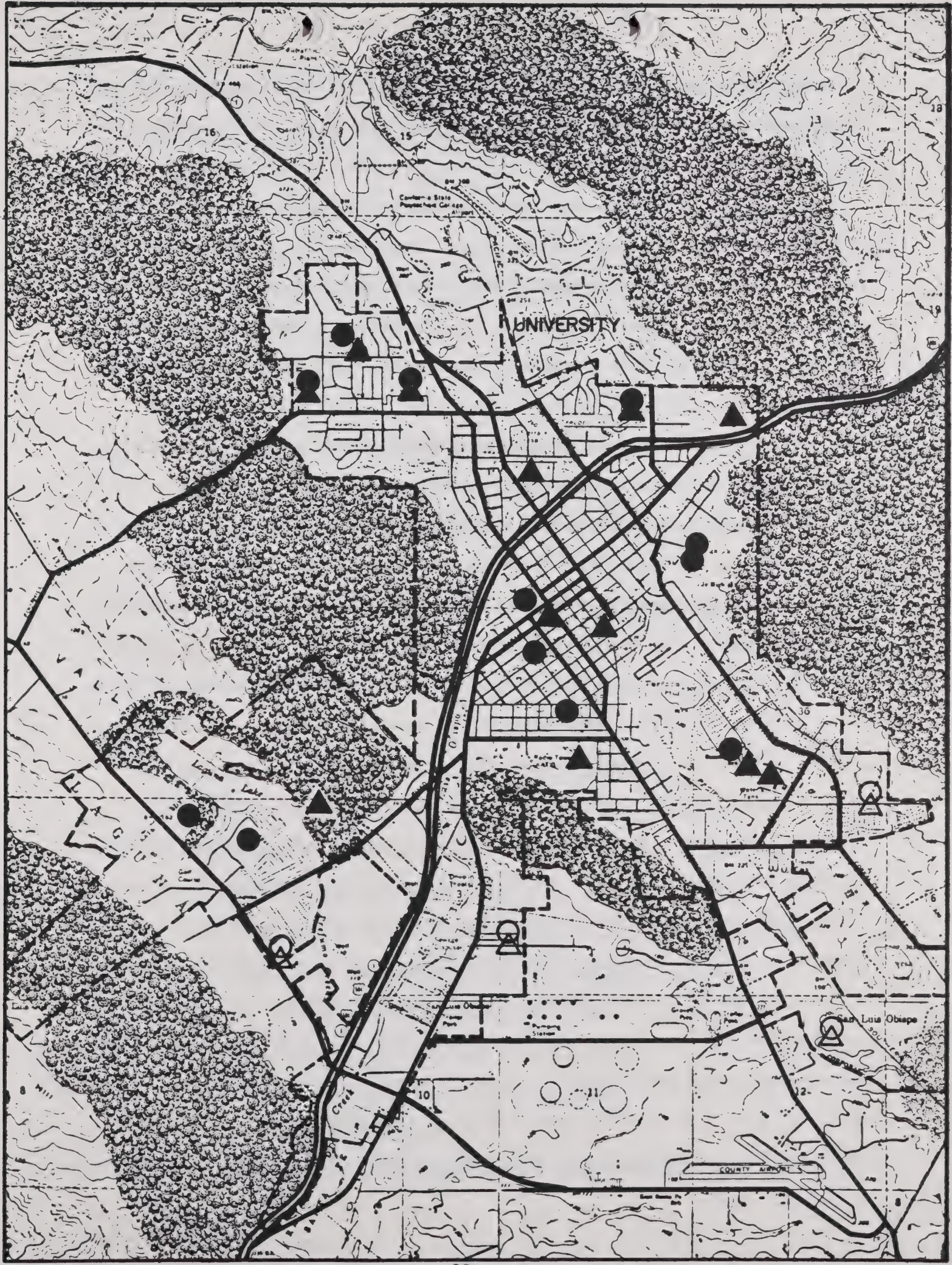
parks

EXISTING AND PROPOSED PARKS ON THE GENERAL PLAN.

EXISTING FACILITIES ARE DARKENED

CITY OF SAN LUIS OBISPO

general plan designation of open space



consider the appropriate functions of the community in an active program that incorporates, develops and utilizes available open space for recreational purposes.

Recreation and tourism holds second highest priority for the economic development of San Luis Obispo. Currently, there are 346 acres of recreational lands within the City. The bulk of that land is publicly owned. Additionally, there are several thousand acres of state and federally owned land adjacent to the City at Cal Poly State University, California Men's Colony and Camp San Luis Obispo.

Recreation areas can be grouped into three classifications according to National Park and Recreation Society standards.

1. Neighborhood parks should be within 1/2 mile of every home. 5 to 10 acres of park land is required for approximately 1,000 population.
2. Community parks should consist of 20 to 100 acres and one should be provided for every 20,000 population.
3. A recreation center building should provide diversified indoor facilities for the leisure time use of people of all ages. The building should be centrally located in a neighborhood park facility.

At this time, the City of San Luis Obispo has a total of 53 acres in neighborhood parks. This includes 10 acres of Laguna Park which has facilities to serve the local needs. If the City is going to meet the standard of 5 acres of parkland for every 1,000 population as recommended by the National Parks and Recreation Society, there is currently a shortage of neighborhood park acreage within the City of San Luis Obispo. If the above standard of 5 acres of neighborhood park for every 1,000 population is required, then 100 acres of neighborhood parkland is needed immediately to serve the existing population. San Luis Obispo presently has 23 acres of community parkland at Sinsheimer Park. Two other community facilities are Laguna Lake Park and Cuesta Park, presently classified as regional parks.

For purposes of this report, we will classify recreation into three categories: active, passive and trails. Active recreation is any physical recreational activity including sports and play. Passive recreation is any introspective recreational activity including observation and contemplation. Trails can serve bike riders, hikers, and horseback riders. At this time, active and passive recreation are included in the City program, however, the City has no publicly owned trails. New parks should include facilities to accommodate all three types of recreation where possible.

The City requires that all new subdivisions include street trees. This is assured by assessing the subdivision \$1.00 per linear foot of street frontage. This money is then used to plant trees along the street at approximately 30 foot intervals. The City also requires developers to dedicate parkland at a ratio of 5 acres per 1,000 population when subdividing. One-half of this requirement is waived since school playgrounds are counted as part of the neighborhood park system, however, school playgrounds do not meet the intent of the neighborhood park concept.

GOALS

1. Support the concept of a County Recreation Plan.
2. Protection of resources suited for recreational purposes.
3. Development of parks equal to 5 acres per 1,000 population in neighborhoods that are deficient.
4. Provision for dedication of real property or in lieu fees equal to 5 acres per 1,000 population in all new developments.
5. Planning to gain the advantage of multi-purpose land such as reservoirs and flood plains for recreation.
6. Provision for riding, hiking and bicycle trails through local as well as statewide programs.
7. Development of walkways along certain publicly owned acres of the creeks.

8. Adoption of new element to include a plan of acquisition and development of recreation and parklands.

C. SCENIC LANDS

The San Luis Obispo definition describes open space as including "Any land....which....offers scenic, aesthetic or historic features...".

Scenic, aesthetic and historic lands have immediate and recognizable meaning in San Luis Obispo. They include the usual topography such as the peaks and hillsides encompassing the community, the vegetation represented by various stands of trees, the unique yucca plant and other native plants, fish and wildlife habitats along the creeks and lake, and historical and archeological sites represented by Mission San Luis Obispo, certain early cemeteries and the Dallidet Adobe and gardens.

For purposes of more complete discussion, scenic lands are defined as those lands needed for the preservation of scenic resources including, but not limited to areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; streams, lakeshores, banks of streams, watershed lands and mountain ranges and hills. San Luis Obispo's scenic resources can be divided into two categories - peaks and watershed.

The geologic structure in and around San Luis Obispo is a result of eons of movement that has produced a number of topographical features of tremendous value, both physically and visually, Bishop Peak, Cerro San Luis Obispo and Islay Hill along with the Santa Lucia Range and the Irish Hills makeup a physical form which by their size and location have made an enclosed natural setting for the community of San Luis Obispo. The peaks were formed by volcanic action millions of years ago and the particular arrangement of these peaks is unique to this area. They are rocky and are covered with native chaparral on the lower slopes progressing to stands of native oak on the upper reaches.

Residential development has been creeping up on the mountain sides during the last few years as developable residential land has become increasingly scarce and the demand for "view" lots has increased. However, it appears that residential development on the hills will be limited to those areas below 460 feet elevation due to adopted City policy.

The waterways of San Luis Obispo are significant elements in the environmental quality of the City. They constitute a precious resource as drainage areas, potential recreational complexes, and as visual amenities. Some waterways have already been channelized and undergrounded because of a high degree of structural encroachment and subsequent flood control measures.* By monitoring the still undisturbed creeks and determining their value for recreation, conservation, biological preservation, as well as their drainage function, waterways may serve as an asset rather than a nuisance for the City.

The watershed draining the San Luis Obispo area can be divided into six waterway systems. The six systems are: Old Garden Creek, Stenner Creek, Brizzolara Creek, San Luis Creek complex, Los Osos Valley complex and Airport complex. The waterways within the urban areas have been altered to an extent that very little remains in natural state. However, the waterways in the outlying unurbanized areas are still largely natural in character.

At this time, the principal function of the waterways is to serve as a storm drainage system for the City. Surface runoff is collected in the City in catch basins, drain inlets, and gutters; then channeled in underground drain lines for deposit in the creeks. Obviously, any loose surface materials such as dirt, oil, pesticides, etc., are washed by the runoff into the creeks and then to the ocean.

*Since the Flood of 1973, there may be a temptation on the part of public officials to treat waterways as only mechanical devices to carry runoff.

GOALS

1. Formulate an open acquisition plan by easement or fee title, and make it a part of the City's overall capital improvements program.
2. Provide incentives to property owners who agree to leave open space on their land.
3. Establish controls that will provide and maintain scenic entrances to the City.
4. Develop green belts and trails along major streets and highways around the City.

D. HAZARD LANDS

Many San Luis Obispanos have learned from personal experience and all have witnessed the compelling reasons why lands subject to serious hazards of nature can best serve society as open space lands. Most residents expect severe restrictive curbs limiting use of hazardous lands.

The San Luis Obispo general definition of open space includes "Any land... which contains inherent hazards which threaten public welfare, health or safety."

Hazard lands are defined as those lands which have the potential of endangering public health and safety, including but not limited to areas which require special management or regulation because of hazardous or special conditions. These areas include earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting natural high fire risks, areas required for the protection of water quality and water reservoirs, and areas required for the protection and enhancement of air quality.

Hazard lands have been subdivided into three categories specific to San Luis Obispo: geologic hazards, flooding hazards and airport hazards. A discussion of each follows:

GEOLOGIC

The community does not have any major active faults in the immediate vicinity. The area does have places prone to landslide; however, it would take a study by the Soil Conservation Service to determine the extent and location of these areas.

Most residential and commercial development has occurred on land with slopes of less than 10%, however, some construction has taken place on the City's hillsides where slopes are greater than 10%. In a few instances there is residential construction on slopes with 30% grade. Areas with slopes greater than 30% grade require severe building limitations and special consideration before construction is undertaken.

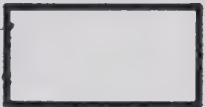
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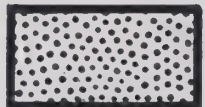
slopes of 30% and over



slopes of 10% thru 29%

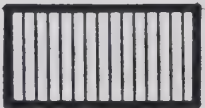


slopes of 0% thru 9%



flood prone areas

THE FLOOD-PRONE AREAS SHOWN ON THIS MAP HAVE A 1 in 100 CHANCE ON THE AVERAGE OF BEING INUNDATED DURING ANY YEAR—FLOOD AREAS HAVE BEEN DELINEATED WITHOUT CONSIDERATION OF PRESENT OR FUTURE FLOOD-CONTROL STORAGE THAT MAY REDUCE FLOOD LEVELS. BASED ON ARMY CORPS OF ENG. 1970, 1973



airport hazard

THOSE AREAS WHICH ARE UNDER THE APPROACH AND TRANSITIONAL SURFACES AS DEFINED IN THE FEDERAL AVIATION REGULATION VOLUME XI PART 77.

CITY OF SAN LUIS OBISPO

hazard lands



legend



creeks

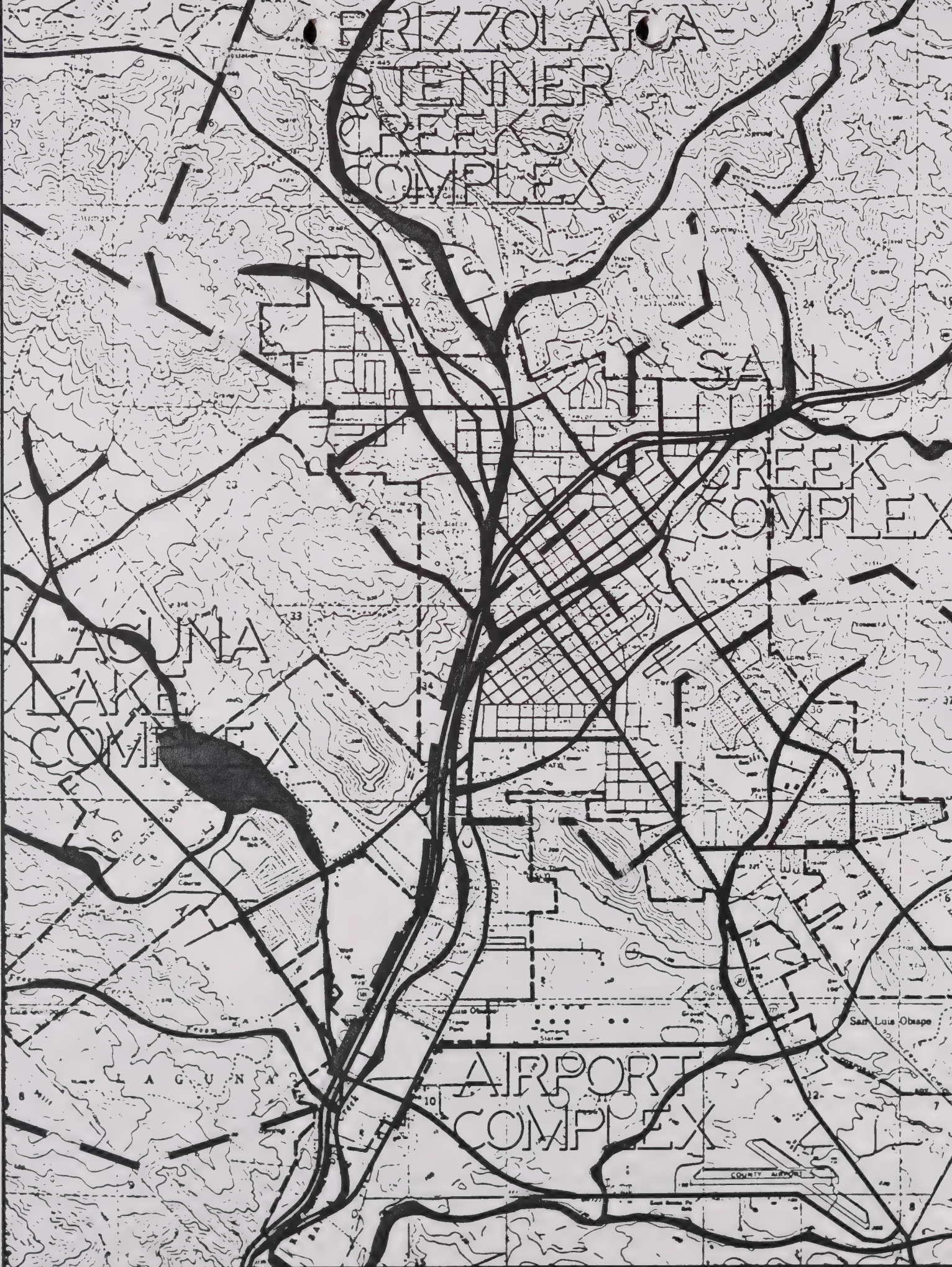
AS INDICATED ON EXHIBIT "B" OF THE CITY APPROVED CREEK MAP.



watershed boundaries

CITY OF SAN LUIS OBISPO

major hydrological features



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To maintain consistency while evaluating the appearance and condition of our creek system, it is necessary to generalize the varied states of creek fitness into four classifications. The four classifications are: (1) natural waterways, (2) landscape constructed waterways, (3) constructed channel, (4) closed conduit.

To be designated as a natural waterway, a creek section must appear essentially untouched by human design and exhibit no creek or creek bank encroachments. This does not mean that the creek and surrounding land must be virgin. A creek which is designated a natural waterway may also be well-used by man, littered, and so on.

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Drainage systems that were designed for subdivisions 20 years ago have proven to be inadequate by today's standards. It has been proven that runoff from paved areas, roofed surfaces and residential landscaped areas (lawns) is greater than assumed 20 years ago. Errors of 50 percent and greater have been determined in the calculated runoff from 20 year old subdivisions. This error is not apparent in periods of low rainfall due to overdesign in the system. However, during critical periods of heavy rainfall, these systems have proven

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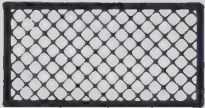
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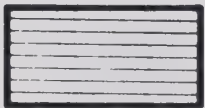
open space



scenic sensitive



recreational



agriculture



flood hazard

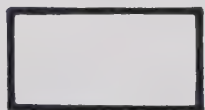


airport hazard



trails

urban land



CITY OF SAN LUIS OBISPO

open space plan



legend

- 1. BISHOP AND CERRO SAN LUIS OBISPO PEAKS.**
- 2. FOOTHILL SADDLE**
- 3. LAGUNA LAKE MARSH**
- 4. LINDA VISTA TRACT**
- 5. SANTA LUCIA FOOTHILLS**
- 6. ISLAY HILL**
- 7. SOUTH STREET HILL**

CITY OF SAN LUIS OBISPO

**unique natural areas worthy
of special consideration**

10. IMPLEMENTATION

If the planning process, consisting of data gathering, analysis and evaluation of alternatives, citizen and agency review to establish public values, produces a definitive program with feedback capability, then it provides:

- more predictable consequences of action.
- less possibility of error detrimental to long range use potential.
- ability to adjust and compare physical development plans and phasing as an on-going process.
- consistent and reliable record of information for public funding programs
- more precise information for phasing of improvements
- better direction for land acquisition programs

From this base then, it is possible to move into the implementation phase of the process.

1. In order for this phase to succeed, there must be a program wherein the three major contributors to the land use decisions are involved; the governmental agency responsible to the people, the developer of the land owner, and the public. In order for the public to make fair evaluations, it must be informed and able to be heard through public display of proposals and public hearings.
 2. The best and by far the most expensive method of setting controls on open space is acquisition.
 3. Zoning, although the weakest tool, can be utilized with acquisition through a capital improvement program and other sources of funding.
- It is possible that San Luis Obispo could enact a series of performance requirements relative to total land use in the future. These requirements would encourage innovative programs in terms of cooperative use

of land to preserve open space. Each program would be judged on its own merits.

A. Current Methods of Implementation:

1. Full fee acquisition:

This is essentially the total acquisition of property by outright purchase, condemnation under the power of eminent domain, tax foreclosure or gift. A voluntary purchase agreement would mean paying the prevailing real estate prices; condemnation would also involve just compensation to acquire critical open space.

2. Less than fee acquisition:

Less than fee acquisition is different from outright purchase of property in that only certain property rights are purchased. Land ownership is a combination of rights to the use of land. Examples would be the right to develop the land, the right to mineral exploration, etc. In less than fee acquisition, only certain desired rights are purchased such as the right to prohibit tree removal, road construction, or building of structures. Less than fee acquisition is, therefore, the purchase of a portion of a private landowner's rights in order to retain or defer certain types of land uses. This could be an effective method of open space control. Various types of less than fee acquisition are circulation easements, scenic easements and development rights.

3. Acquisition of excess State and Federal lands.

Local agencies are often offered the opportunity to purchase surplus State and Federal lands. A discount of 50% is usually provided if the land is to be used for park and recreation purposes. The Bureau of Land Management also administers large amounts of surplus lands which can be purchased at very low prices by the City. Section 14012 of the Government Code provides:

"The Director may lease nonoperating right-of-way areas to municipalities or other local agencies for public purposes, and may contribute toward the cost of developing local parks and other recreational facilities on such areas. The director may accept as all or part of the consideration for such lease or for such State contribution any substantial benefits the State will derive from the municipality or other local agency's undertaking maintenance or landscaping costs which would otherwise be the obligation of the State. Such leases shall contain a provision that whenever the leased land is needed for State highway operating purposes, the lease shall terminate. The department is authorized to classify portions of State highway right-of-way as nonoperating.

At this time, there are no nonoperating right-of-way areas in the City of San Luis Obispo.

4. Public land ownership and control.

In San Luis Obispo, 8% of the total land area is under public ownership. Most of the publicly owned acreage is parkland. The present City Council is setting aside reserve funds for acquisition of critical open space lands, such as particularly sensitive sections of the creeks and peaks. The City should continue to acquire those lands which are significant.

5. Open space stewardships

Conservation groups may hold the land in a "land trust", a practice which serves the purpose of withholding development until acquisition funds are secured.

6. Zoning and subdivision regulations.

Cluster and open space zoning and the use of planned unit development districts enable the land developer to use innovative techniques to encourage the grouping of structures and ultimately afford greater amounts of open space consistent with zoning regulations. Open space zoning provides an alternative land development possibility which can be to the benefit of the City, as well as the property owner. The City of San Luis Obispo should consider adopting the following zoning classifications designed to promote and encourage open space throughout the City:

- a. "A-0" Agriculture Open Space District purpose: To promote a continued existence of agricultural production and protection of natural vegetation and terrain by allowing only agricultural and certain other minimal uses.
- b. "S T" Special Treatment District purpose: To help conserve the beauty and natural characteristics of San Luis Obispo by planned development of selected lands, such as creek and hillsides which which are determined worthy of protection.
- c. "S C" Scenic Conservation Districts purpose: To control development along highways designated by the State or County as scenic thoroughfares.

The City currently has an "S" Design Control Combining District to promote the control of architecture, site planning and landscape of a site or area whose natural features or conditions might be detracted by insensitive development.

- d. Flood Plain Zoning: Flood plain zoning is a necessary provision to assure a permanent open water channel in flood prone areas. As a result of strict flood plain regulations for building, public

- e. Planned Developments, clustering, transfer densities, and incentive bonuses: Generally these terms can be lumped together because the principle involved is the same - greater imagination in site planning. The City currently has provisions for all the methods indicated. A brief discussion follows:

Planned developments - The planned development procedure is intended to permit and encourage the use of new concepts of land development and flexibility by allowing rezoning for a specific use, a mixture of compatible uses, variations from the specified standards, and condominium developments.

Clustering - Clustering is the development pattern and technique wherein structures are arranged in closely related groups with terrain between left open.

Transfer densities - Transfer densities allow a developer to dedicate a portion of his land for open space uses and transfer the total number of units to the remaining land.

Incentive bonuses - Incentive bonuses allow an increase in the overall density provided that the deviation will produce a more desirable and livable community, create public areas, open spaces or reforestation of barren areas, etc., reduce danger of erosion, and reduce cut and fill banks. The City allows a 10% increase in density if any of these conditions can be satisfied.

- f. Subdivision Regulations: Subdivision regulations help to guide development on land which is not yet part of the urban pattern. Specific subdivision regulations can effectively guide development by the control of the placement of public sewage and water systems, utilities and streets. It must be remembered that proposed densities indicated on the General Plan are maximums only;

subdivisions of lower density may be required in order to assure protection of the environment.

IMPLEMENTATION

These provisions have not been used significantly in the past. The planned unit development provisions of the Zoning Ordinance has been used much more extensively. The optional design standards and planned development ordinance should be combined and updated to provide for a more creative approach to development and open space.

B. Other Implementation Techniques.

1. Land Exchange:

The City might wish to exchange public land not needed for open space or other public uses for privately owned open space land.

2. Land Preserves with Tax Incentives:

The Land Conservation Act of 1965 (Williamson Act) establishes a property tax incentive to private landowners who agree, by contract to keep their land in agricultural use for 10 years. Briefly stated, the basic reason behind the Conservation Act is to reduce urban sprawl and premature development of agricultural land and in turn protect the agricultural economy. Its fundamental long range benefits would include a reduced need for schools, roads, utilities, and other governmental services that uncontrolled sprawl would bring. This, in turn, provides for a great amount of productive open space.

3. Private Open Space Development:

There are a number of privately oriented uses of open space which add substantially to the enjoyment of the natural resources of the area. Private open space developments consist of hunting

clubs, private golf courses, riding areas, etc. It shall be the policy of the City to encourage new concepts of private open space.

4. Tax Increment Financing:

Urban renewal methods to protect open space may be used under Section 33032.1 of the Health and Safety Code to partially finance acquisition for park purposes. Under these methods, tax allocation bonds are sold to help purchase the property in question. Tax allocation bonds are paid off from increased property values resulting from the redevelopment project.

5. Deed Restrictions:

Land owners and developers often impose deed restrictions on the use of land under their control. These restrictions are binding on the occupants or purchasers of the subject property. By careful development of restrictions related to the development and maintenance of land and the structures thereon, the private sector can become a meaningful partner in the preservation of the quality and character of the community. Open spaces can be identified, development rights can be deeded to the City and assessments can be established whereby the occupants are assured the retention of useful and useable open spaces and recreational areas.

C. The Cost of Open Space.

It has been indicated that acquisition is the only long term method of controlling open space and various methods of zoning as partial controls have been indicated. The expenditure involved in acquisition is generally high in most cases. However, a projection of the long term costs of development in certain areas may well outrun the immediate costs for acquisition.

D. Methods of Financing Open Space.

1. Taxation:

Listed below are several examples of special taxes which might be utilized to gather revenue for open space acquisition:

- a. User fees and taxes - within controlled and extensively used areas (such as parks and beaches) a fee can be imposed upon the user to aid in the maintenance & development costs.
- b. Motel "bed" tax - by use of a tourist overnight tax upon guests at hotels and motels, funds are available to finance programs which are commonly designed to draw the tourist in the first place.
- c. Real estate transfer tax - a tax can be imposed upon the transfer of real estate to be utilized for the development of open space and parklands related to such real estate development.
- d. Horse tax - the acquisition of designated riding trails can be financed through a tax placed on riding courses and horse rentals as provided for in Article 14 of the Government Code under the Pleasure Riding Tax Law.
- e. Gasoline tax - a definite portion of the gasoline tax can be designated for scenic highway construction and beautification.
- f. Utility tax - the City has enacted a 5% utility tax with a portion of these funds to be used for park purposes.

2. State and Federal Funds:

- a. H.U.D. Open Space Grants - although current funding for this program is seriously oversubscribed, it does essentially provide 50/50 matching funds for the acquisition of open

space and park improvements. This program emphasizes the open space nearer to urban areas. The City is developing Meadow Park with matching funds from the Legacy of Parks program.

- b. Land and Water Conservation Funds - This is a 50/50 matching fund program currently available for the purchase of open space lands. The City is using this type of funding for expansion of Laguna Lake Park.
- c. Wildlife restoration fund - the acquisition, development and preservation of major wildlife areas are funded under this program, administered by the State Wildlife Conservation Board.
- d. Other Federal funds are available under many minor programs for the maintenance and acquisition of open space lands. It is essential that if these programs are to be used, constant communication with the appropriate agency be maintained because of the competition for these funds. However, the City should not count on State and Federal programs to implement its open space program in the immediate future.

3. Private Funds:

A number of private conservation groups give grants towards purchase of open space. (SWAP received \$500 from America the Beautiful). Private funds have not been significant in acquiring open space in the past and it is doubtful this will change in the future.

4. Other Sources of Funds:

- a. Sale of excess and tax delinquent property .

The City could place all revenue derived from the County sale of City excess property & tax delinquent property into an

open space fund. However, these sales have not generated a significant amount of revenue in the past.

b. Subdivision park dedication funds.

The City presently utilizes this method to acquire parklands for new subdivisions.

c. Leasing.

The City does derive revenue from City owned properties that are capable of a multiple use by leasing them back to private interests for grazing and other related uses. These funds should be specifically used for purchase of open space.

The accompanying chart indicates the goals that have been proposed in this Open Space Plan. To the right of the goals is indicated the best possible means of achieving and implementing these goals. A priority rating system is also included so that an action program can be implemented immediately in order to put the plan into effect. Evaluations of existing ordinances, policies, financing methods, etc., is possible by reading down the chart to see what must be done in order to approach open space implementation in a comprehensive manner. The chart is necessarily generalized for brevity but, the most significant and workable alternatives are indicated for implementation. Most important, the chart does provide an outline for work activity and organizational priorities.

A. OPEN SPACE REQUIREMENTS

State Open Space Requirements and General Law

The Government Code of California clearly sets forth the intent of the Legislature in adopting open space requirements. Section 65561 reads as follows:

"The Legislature finds and declares as follows:

- A. That the preservation of open space land, as defined in this article, is necessary not only for the maintenance of the economy of the state, but also for the assurance of the continued availability of land for the production of food and fiber, for the enjoyment of scenic beauty, for recreation and for the use of natural resources.
- B. That discouraging premature and unnecessary conversion of open space land to urban uses is a matter of public interest and will be of benefit to urban dwellers because it will discourage noncontiguous development patterns which unnecessarily increase the cost of community services to community residents.
- C. That the anticipated increase in the population of the State demands that cities, counties, and the state at the earliest possible date, make definite plans for the preservation of valuable open space land and take positive action to carry out such plans by the adoption and strict administration of laws, ordinances, rules and regulations as authorized by this chapter or by other appropriate methods.
- D. That in order to assure that the interests of all its people are met in the orderly growth and development of the state and the preservation and conservation of its resources, it is necessary to provide for the development by the State, regional agencies,

counties and cities, including charter cities, of state-wide coordinated plans for the conservation and preservation of open space lands.

- E. That for these reasons this article is necessary for the promotion of the general welfare and for the protection of the public interest in open space land."

Section 65560 further defines the following terms as they relate to open space:

- A. "Local open space plan" is the open space element of a county or City general plan adopted by the Board or Council, either as the local open space plan or as the interim local open space plan adopted pursuant to Section 65563.
- B. "Open space land" is any parcel or area of land or water which is essentially unimproved and devoted to an open space use as defined in this section, and which is designated on a local, regional or state open space plan as any of the following:
1. Open space for the preservation of natural resources including but not limited to areas required for the preservation of plant and animal life, including habitats for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, bays and estuaries; and coastal beaches, lakeshores, banks of rivers and streams, and watershed lands.
 2. Open space used for the managed production of resources, including but not limited to, forest lands, rangelands, agricultural lands and areas of economic importance for the production of food or fiber; areas required for recharge of ground

water basins; bays, estuaries, marshes, rivers, and streams which are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.

3. Open space for outdoor recreation, including but not limited to, areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches, and rivers and streams and areas which serve as links between major recreation and open space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors.
4. Open space for public health and safety; including, but not limited to, areas which require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs and areas required for the protection and enhancement of air quality.

Section 65563 also requires:

On or before June 30, 1973, every city and county shall prepare, adopt and submit to the Secretary of the Resources Agency a local open space plan for the comprehensive and long-range preservation and conservation of open space land within its jurisdiction.

- A. The officially adopted goals and policies which will guide the preparation and implementation of the open space plan, and
- B. A program for orderly completion and adoption of the open space plan by June 30, 1973, including a description of the methods by which open space resources will be inventoried and conservation measures determined.

Other State Laws Related to Open Space

There are currently several other laws which are directly related to the preservation and protection of open space lands. They are as follows:

1. Section 65910, Government Code

"Every city or county by December, 1973, shall adopt an open space zoning ordinance consistent with a local open space plan adopted pursuant to Section 65563" above.

2. Section 65302 (d), Government Code

(d) A conservation element for the conservation, development and utilization of natural resources including water and its hydraulic force, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals, and other natural resources. That portion of the conservation element including waters shall be developed in coordination with any county-wide agency and with all districts and city agencies which have developed, served, controlled or conserved water for any purpose for the county or city for which the plan is prepared. The conservation element may also cover:

1. The reclamation of land and waters.
2. Flood Control.
3. Prevention and control of the pollution of streams and other waters.
4. Regulation of the use of land in stream channels and other areas required for the accomplishment of the conservation plan.
5. Prevention, control, and correction of the erosion of soils, beaches and shores.
6. Protection of watersheds.
7. The location, quantity and quality of the rock, sand and gravel resources.

The conservation element shall be prepared and adopted no later than June 30, 1973.

3. Section 11546, Business and Professions Code

"The governing bodies of a city or county may by ordinance require the dedication of land, the payment of fees in lieu thereof, or a combination of both, for park or recreational purposes as a condition to the approval of a final subdivision map..."

4. Section 11610.5, Business and Professions Code

"No city or county shall approve either the tentative or the final map of any subdivision fronting upon the coastline or shoreline which subdivision does not provide or have available reasonable public access by fee or easement from public highways to land below the original highwater mark on any ocean coastline or bay shoreline within or at a reasonable distance from the subdivision."

5. Land Conservation Act (Williamson Act)

Article XXVIII of the State Constitution now permits farmlands, lands within scenic highway corridors, wildlife habitat areas, timberlands, salt ponds, managed wetland areas, and submerged areas to be assessed on the basis of actual use (capitalized value), rather than on sales of comparable properties which in many instances reflect their potential value for possible urban development. As a condition for qualifying for this tax relief, which is essentially a stabilization of property taxes, the land must be restricted in one of two ways. The owner must enter into a contract, as specified in the Williamson Act, to maintain his land in agricultural use for a specified term, or he must grant an open space easement.

B. FLOOD PLAIN ZONING

Flood Damage Control

Flood damages occur when flood waters damage valuable property. Two causes are usually cited for flood damages:

1. Natural (the actual flood waters) and
2. Artificial (the placement of vulnerable property within a flood prone area.)

Flood damage control attacks one or both of the causes in an effort to reduce flood damages.

Flooding occurs in the natural floodway or flood plain of a creek. The term floodway is meant to include the natural low water channel and any outlying portion of land needed to carry flood waters. Flood plain refers to the total floodway and any land adjacent to a creek which is inundated by flood waters.

The width of a flood plain increases the further downstream a measurement is taken. The southern sections of San Luis Creek require a flood plain width greater than the actual floodway while the headwaters and tributaries require flood plain widths congruent with the actual floodways.

The wider flood plains are most often used for crop agriculture and pasture so that flood damages are usually agricultural in nature and include crop losses, reduced yields, and damage to fences or drainage systems.

Public attitude and policy toward flood control can be divided into three methods of practice: flood prevention, reclamation, and land use management. There are many variations and combinations of these methods used in actual practice, but these practices are most common.

Zoning

Part of the problem of establishing the boundaries of the flood plain

is that of determining the magnitude of flood that is to be anticipated. Floods are measured on the basis of historical records (percentage storm), that is, the storm which can be expected to occur once in a specific period of time. The two percentage storms used most often are the 1% storm and the 4% storm which are storms that can be expected to occur each 100 years and each 25 years respectively. Yet, often a more frequent storm is used as the base for flood plain definition.

The "percentage" storm selected should be based upon the particular topographic features of the area under study. It should be remembered that a "percentage storm" of 100 years or any other frequency might occur two or three consecutive years or at any time interval, but based on historical records, its probability of occurrence is once in 100 years.

In Flood Hazard Evaluation and Regulation of Flood Plains, by Robert W. Kates and Gilbert S. White, an ideal flood plain zoning ordinance is suggested which would divide the floodway into three protective zones. These are:

Prohibitive Zone: That zone where any encroachment would without clear justification to the contrary, be presumed to be against the public interest. This zone corresponds to the "designated floodway" required by the Colbey-Alquist Act.

Restrictive Zone: That zone where it would advance the general land use and water use aims of the community to restrict uses in relation to flood hazard. This zone corresponds to the "restrictive zone" required by the Colbey-Alquist Act.

Warning Zones: That zone where it would be in the interest of property managers to receive warning of the risks involved, but in which restriction is not deemed desirable.

Procedural Steps in Establishing Flood Plain Zoning Controls

1. Gather history of flooding characteristics and accurate topographical information. Determine flood magnitude, occurrence, and precise flood boundaries.
2. Match information from No. 1 with existing land use studies in order to locate extent of flooding within a 5 - 25 - 100 year occurrence.
3. All current studies and anticipated plans for stream control and adjacent land use must be analyzed and integrated into a flood plain program.
4. Develop, through a process of critical area identification, the series of above protective zones, each related to the flood conditions within the specific zone area.

Permissible Uses Within the Prohibitive Zone

1. Agriculture.
2. Park recreation.
3. Open space.
4. Certain transportation use.

Regardless of what uses are permitted in the restrictive and warning zones, all structures should be constructed in accordance with acceptable flood proofing techniques.

Recommendations:

1. Establish a Creek Reference Line.

Reference line need not represent a purchase proposal. The creek parkway need not be entirely public owned land. Private ownership could be encouraged providing the creek parkway concept were adhered to.

In establishing a reference line it is important to include within this recreational area all of the land which contributes significantly to the creek environment; such as flood plain, natural wooded areas, and steep banks, etc.

The creek parkway reference line need not be surveyed by instrument. An effort should be made to describe its location in enough detail to ensure that future instrument surveys can readily ascertain the intended line. Instrument surveys may be needed at later dates for deed descriptions or gifts to the City or creek parkway land.

2. Determine Reasonable Distance that Structures Should be Set Back From Reference Line

If minimum rear yard requirements of the Zoning Ordinance were applied to each individual lot using the reference line as the rear lot line, a set back line is, in effect, created for each lot.

It may be more desirable to have a more uniform standard than the basic zoning regulations provide. Perhaps an appropriate setback line would be consistent with rear yard requirements which predominate the creeks. This would reserve open space adjacent to the creek parkway for the private use of abutting residents.

Normal yard uses such as swimming pools, patios and decks are reasonable uses in the setback area and should be permitted, consistent with the City-wide requirements. Garage, sheds, and other enclosed structures should not be permitted within the setback area.

All land within the proposed creek parkway reference line should be placed in an open space zone. Any flood plain areas should be used for recreation/flood plain.

3. Flood Prevention Approach

The basis of this approach is presented in the Federal Flood Control Act of 1936. This Act is intended to establish public responsibility in flood control when damages have affected the general welfare.

This approach is economically sound when (1) the benefits exceed the costs, (2) the beneficiaries support an adequate share of the costs, and (3) new flood plain occupancy is not encouraged beyond the bounds of protection. The ultimate requirement is that an adverse affect on the general welfare must be demonstrated.

4. Reclamation Approach

This approach is manifested in the many policies and laws related to drainage and levee districts and the local improvement powers exercised by counties and municipalities.

These acts extend the legal power and means for a group of landowners to improve the value of their property through improved drainage and overflow protection. All such projects are financed through special assessment on the benefitted property owners.

The reclamation approach fails as a viable method whenever a significant portion of the improvements benefit persons or properties that have not been assessed for their share. This approach may also fail when the tangible direct benefits do not exceed the costs. At its best, the reclamation approach is employed by a group of landowners having a common problem which has an agreed upon solution with benefits exceeding costs.

Although this method may have some application in urban areas, the

reclamation strategy is especially applicable to agricultural lands.

There are five basic principles which guide the use of this approach.

1. A group of contiguous land sections must have a common flood problem.
2. There must exist some applicable solution to the common flood problem.
3. The benefits must exceed the costs.
4. A majority of the landowners must support the project.
5. All landowners receiving benefits must be willing to pay their share of financial burden.

When these guidelines have been followed, reclamation has been a successful approach. The strategy falls short when additional lands are benefitted by the improvements or when the improvements must be extended beyond benefitted lands and the landowners show no interest in the benefits and/or are unwilling to share the cost. Because of these inherent weaknesses, few successful reclamation projects have been accomplished.

5. Land Use Management Approach

With this strategy flood damages are minimized by restricting, controlling, or prohibiting certain types of land use. Legal basis for land use management evolves from zoning and building code authority possessed by counties and municipalities in California.

Land use management is executed as a part of a comprehensive zoning plan and support by subdivision ordinances, building code stipulations, and public open space plans. The objective is to zone and regulate construction on each parcel of flood plain land to maximize beneficial uses while minimizing resulting flood damages. Public land acquisition is often employed as an added tool in urban areas.

Land use management is fully effective only where it is implemented

prior to development of flood plain lands. It is an ineffective tool when employed as a solution to damages already incurred by existing nonconforming uses.

Some common mistakes when implementing land use management controls are (1) over zoning, (2) unreasonable restrictions, (3) failure to properly define flood plain lands, and (4) poor enforcement. Through careful planning these mistakes can be avoided.

Flood damages are generally classified as urban, agriculture, transportation and utilities.

Urban flood damages include damages on all the typical land uses; residential, commercial, industrial, institutional and public.

Agricultural damages includes losses in growing crops, livestock, stored grain, feed and fertilizer; and related damages.

Transportation damages include traffic losses and damage to structures and equipment.

Utilities in the later classification do not include distribution and collection systems in urban areas, but do include gas, power, telephone transmission lines, power plants, substations, water treatment plants, and similar facilities.

When developing a Creek Conservation Plan all of the flood damage control strategies will be needed to some extent. Each strategy must be used where it is most applicable.

Generally the applicability is as follows:

1. Urban Areas: (with little flood damage)

Zoning and building codes supplemented by public land acquisition to eventually reduce any existing damages and prevent future damages.

2. Urban areas with major flood damages:

Structural measures to reduce flooding supplemented by zoning, building codes and land acquisition to prevent future damages.

3. Future Urban Areas/Fringe Urban Areas:

Full spectrum of land use management is applicable here, including land use planning, zoning, building codes, and public land acquisition.

4. Transportation and Utilities:

Cautious location or flood proofing of all primary structures and flood proofing of all secondary sub-systems wherever economical.

5. Agricultural Lands:

Reclamation should be used wherever economical. All homes, buildings, graineries, etc., must be located in flood free areas.

When costs are totaled up, it is seldom feasible to allow urban occupancy of floodable lands. When suitable alternative land is available, reclamation, damages, disaster relief, future creek channelization, and similar items run excessive costs.

In general, land use management is directed toward restricting urban encroachment of flood plains. This strategy is applicable to the City creek system in varying degrees. Zoning is the principal device for implementing a land use plan.

There is a growing trend throughout State and Federal government toward requiring land use management plans in all areas as a condition to receiving government flood control assistance.

Section A-0 (Agriculture - Open Space District)

The A-0 District is intended to provide for the development of open space and agriculture in a semi-rural environment on lots not less than ten acres in area, not more than one (1) dwelling unit permitted on any lot. All regulations for this district are deemed to be necessary for the protection of the quality of the environment and for the securing of the health, safety, and general welfare of the residents.

Section Use Permitted

The following uses shall be permitted in the A-0 District, plus such other uses as the Commission may deem to be similar and no more obnoxious or detrimental to the public health, safety and general welfare. All uses shall be subject to the property development standards in Section 9200-206.5.

- A. One family dwellings, not more than (1) dwelling per lot.
- B. Accessory buildings.
- C. Agricultural crops, greenhouses, fruit trees, nut trees, nurseries for producing trees, vines and other horticultural stock.
- D. Bovine animals, horses. The keeping of all domestic animals provided herein shall conform to other provisions of law governing same, and no pen, stable, barn or corral shall be maintained within twenty-five (25) feet of a side or rear property line or within seventy-five (75)/ thirty-five (35) feet of any building used for human habitation unless such building is occupied by the owner or the keeper of the animals or within one hundred (100) feet of the front line of the lot; however, this shall not apply to the pasturing of animals in the above mentioned setbacks.
- E. Poultry and rabbits for domestic purposes only, subject to the provisions of Section 4120.4 of the Municipal Code.

- F. Storage of petroleum products for use by the occupants of the premises but not for resale or distribution.
- G. The sale of agricultural products produced upon the subject property.
- H. Home occupations. The provisions of Section 9200-105H "Home Occupations" shall apply.
- I. Dairying
- J. Grazing or breeding.
- K. Fish hatcheries.
- L. Flood control channels, spreading grounds, settling basins, and parkways.
- M. Recreation areas, parks, playgrounds, wildlife preserves, natural preserves and such buildings and structures that are related thereto.

Section Uses Permitted Subject to Use Permit

The following uses shall be permitted subject to a use permit:

- A. Apiaries.
- B. Public Schools.
- C. Churches, parochial schools, private schools and colleges.
- D. Country clubs and golf courses.
- E. Kennels.
- F. Electrical distribution substation.
- G. Microwave relay structures.
- H. Nursery schools or child care nurseries.
- I. Water pump stations.
- J. Hog Ranch.
- K. Aircraft landing strip.
- L. Vet clinic.
- M. Rifle or pistol range.

N. Rodeo arena and facilities.

O. Private or public hunting, fishing or sporting clubs.

Section Property Development Standards

The following property development standards shall apply to all land and structures in the A-0 District.

A. Lot Area.

Each lot shall have a minimum lot area of 10 acres. Where it is desired to establish a minimum area requirement greater than one (10) acres, it shall be designated by a number following the zone designation symbol indicating acres (i.e. A-0-15 denotes a 15 acre minimum parcel size). A nonconforming lot of record under separate ownership at the time it became nonconforming, may be used or occupied by any permitted use in this district.

B. Lot Dimensions.

No requirements.

C. Population Density.

1. Not more than one (1) residence per each ten acres.

D. Building Height.

1. No building or structure erected in the District shall have a height greater than two and one-half ($2\frac{1}{2}$) stories, not to exceed thirty-five (35) feet.
2. Exceptions: All buildings or buildings designed or erected after effective date of Ordinance and buildings existing on the effective date of ordinance, which may be reconstructed, altered, moved or enlarged, shall comply with the height regulations of the district in which they may be located, with the following exception.
 - a. Roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to

operate and maintain the building, and fire or parapet walls, skylights, towers, church steeples, flag poles, chimneys, smoke stacks, silos, water tanks, wireless masts, accessory farm buildings or similar structures when approved by the Commission, may be erected above the height limits prescribed; provided that the same may be safely erected and maintained at such height in view of the surrounding conditions and circumstances, but no roof structures, or any space above the height limit shall be allowed for the purpose of providing additional living or floor space.

E. Yards

1. General Yard Requirements.

- a. All yards shall extend the full width or depth of the lot and shall be open from the ground to the sky.

2. Front Yard.

- a. Each lot shall have a front yard of not less than thirty (30) feet extending across the full width of the lot.

3. Side Yard.

- a. Each lot shall have a side yard on each side of not less than twenty (20) feet except for special conditions treated below:
- b. Corner lots - On corner lots, unless otherwise specified in this code, the side yard abutting the street shall be not less than thirty-five (35) feet in width.

- 1. The side yard for accessory buildings shall be not less than twenty (20) feet.

4. Rear Yard

- a. Each lot shall have a rear yard of not less than twenty (20) feet.



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F. Space Between Buildings

No requirements.

G. Lot Coverage

No requirements.

